

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES

January 14, 2003

PRESENT:

Mayor Peter J. Kelly
Deputy Mayor McInroy
Councillors: Stephen Streach
Gary Hines
Keith Colwell
Ron Cooper
Brian Warshick
Condo Sarto
Bruce Hetherington
Jim Smith
John Cunningham
Jerry Blumenthal
Dawn Sloane
Sue Uteck
Sheila Fougere
Russell Walker
Diana Whalen
Linda Mosher
Brad Johns
Robert P. Harvey
Len Goucher
Reg Rankin
Gary Meade

REGRETS:

Councillor Stephen D. Adams

STAFF MEMBERS:

Mr. George McLellan, Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Vi Carmichael, Municipal Clerk
Ms. Patti Halliday, Legislative Assistant

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1. **INVOCATION**

Mayor Kelly called the meeting to order at 6:00 p.m. with the Invocation led by Councillor Cooper.

2. **APPROVAL OF MINUTES - NONE**

3. **APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS**

The following item was added to the agenda:

11.1 Membership Selection Committee - Citizen and Councillor Appointments

MOVED by Councillor Hetherington, seconded by Councillor Blumenthal, that the Order of Business, Additions and Deletions be approved. MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Sarto acknowledged the recent recognition of Dr. Louise Cloutier in being proclaimed the Canadian Family Physician of the Year 2002-03. Councillor Sarto requested that Council give appropriate recognition to Dr. Cloutier for this achievement, and Mayor Kelly agreed to do so on Council's behalf.

4. **BUSINESS ARISING OUT OF THE MINUTES**

5. **MOTIONS OF RECONSIDERATION - NONE**

6. **MOTIONS OF RESCISSION - NONE**

7. **CONSIDERATION OF DEFERRED BUSINESS**

7.1 **North West Community Council - The Barrens, Bedford**

C A report from the North West Community Council regarding the above was before Council for its consideration.

CONFLICT OF INTEREST

Mayor Kelly proclaimed a **Conflict of Interest** on this matter due to land acquisition sidelines of this particular property and removed himself from the discussion. Deputy Mayor McInroy assumed the Chair.

MOVED by Councillor Goucher, seconded by Councillor Hetherington, that Regional Council urge the Province of Nova Scotia to complete the land purchases necessary to protect the Bedford Barrens Petroglyphs and establish a management committee. MOTION PUT AND PASSED UNANIMOUSLY.

Mayor Kelly returned to the meeting and assumed the Chair.

7.2 Permanent Encroachment - Building Permit Application 037314

This item was addressed later in the meeting.

7.3 Administrative Order Respecting Corporate Records & Information Management in Halifax Regional Municipality

C A staff report prepared for Dan English, Acting Chief Administrative Officer, regarding the above, was before Council for its consideration.

MOVED by Councillor Harvey, seconded by Councillor Blumenthal, that Council adopt, as a policy pursuant to the Municipal Government Act, Administrative Order Number 31, the Corporate Records and Information Management Administrative Order, the purpose of which is to establish a record classification and retention system for Halifax Regional Municipality and to establish best practices and procedures for dealing with the entire life-cycle of municipal records. MOTION PUT AND PASSED UNANIMOUSLY.

7.4 Administrative Order 32 - The By-Law Development Administrative Order

C A staff report prepared for Dan English, Acting Chief Administrative Officer, regarding the above, was before Council for its consideration.

MOVED by Councillor Cooper, seconded by Councillor Goucher, that Halifax Regional Council adopt, as a policy pursuant to the Municipal Government Act, Administrative Order Number 32, the By-Law Development Administrative Order, the purpose of which is to establish a procedure to be followed by HRM staff in the development of new and the consideration and amending of current by-laws. MOTION PUT AND PASSED. (Councillors Hines and Johns voted against the motion.)

8. CORRESPONDENCE, PETITIONS & DELEGATIONS

8.1 Correspondence - None

8.2 Petitions

8.2.1 Councillor Blumenthal - Snow Removal

Councillor Blumenthal served a petition from residents (approximately 13 signatures) requesting that snow removal of sidewalks in Halifax be the responsibility of the Municipality. The Councillor noted this is the first of many petitions on this issue to be brought forth.

8.2.2 Councillor Rankin - Request for Overhead Lights

Councillor Rankin served a petition (approximately 182 signatures) from residents requesting flashing overhead lights at the intersection of 1492 St. Margaret's Bay Road and Church Street.

9. REPORTS

9.1 REGIONAL HERITAGE ADVISORY COMMITTEE

9.1.1 Case H00094 - Application for the Demolition of 1226 Barrington Street, Halifax

C A report from the Regional Heritage Advisory Committee regarding the above was before Council for its consideration.

Mr. Kevin Barrett, Heritage Planner, presented the Committee's report to Council. In response to a question of Councillor Hetherington, Mr. Barrett stated that, even if Council rejects the application at this time, the Heritage Act requires HRM to grant the demolition permit after a one year period following the time of application. Upon the receipt of the demolition permit, the applicant has one year to complete the demolition.

Councillor Uteck noted the one year waiting period will provide time to explore options to save this heritage building.

MOVED by Councillor Uteck, seconded by Councillor Sloane, that Regional Council reject the application to demolish a registered heritage building at 1226 Barrington Street, as described in the staff report dated December 2, 2002.

Councillor Cunningham expressed concern regarding the denial of this application, noting this building only became a registered building as it was located on the same property as the Gerrard Lodge when it was registered. The Councillor noted this particular building is located at the rear of the property, is barely visible from the street, and has minimal heritage

significance. Councillor Cunningham further stated that the denial of the demolition application will prevent the developer from adding the proposed addition to the Gerrard Lodge, therefore, he would not support the motion.

Responding to a question of Councillor Hines, Mr. Barrett stated the proponent has investigated the option of moving the building to another site and it has been determined that this would be possible. Councillor Hines questioned the suggestion that HRM could provide financial assistance to do so, and stated he would not support the motion.

Speaking in support of the motion, Councillor Sloane stated the denial of the application at this time will provide time to explore alternatives to maintain the building. Councillor Uteck noted Mr. Peter Delefes, Heritage Trust of Nova Scotia, has provided some information that this building may have originally been a residence of an early shipwright. The Councillor stated the denial of the application will not hold up the developer in his plans, but it will provide some time to examine possible ways to save the building, such as was the case recently for a heritage property on Queen Street in Dartmouth.

MOTION PUT AND PASSED. (Councillors Streach, Hines, Hetherington, Cunningham, and Whalen voted against the motion.)

9.1.2 Case H00099 - Review of Proposed Addition to 1690 Bell Road, Halifax

C A report from the Heritage Advisory Committee regarding the above was before Council for its consideration.

Mr. Kevin Barrett, Heritage Planner, presented the Committee's report to Council.

MOVED by Councillor Sloane, seconded by Councillor Uteck, that Regional Council approve the addition to 1690 Bell Road, as proposed in the staff report dated December 2, 2002. MOTION PUT AND PASSED UNANIMOUSLY.

9.2 CHIEF ADMINISTRATIVE OFFICER

9.2.1 Tender #02-255, Upgrade Lakeside Pumping Station #2

C A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

MOVED by Councillor Rankin, seconded by Councillor Hetherington, that Council:

1. Award Tender No. 02-255, Lakeside Pumping Station #2 Emergency Power System & Upgrades - Western Region to XL Electric Limited for materials and services listed at the unit prices quoted for a Tender Price of \$77,000, plus net HST for a total of \$81,950.33, from Account No. CGR00371, Pumping Stations and Forcemain Upgrades, with funding authorized as per the Budget Implications section of this report.
2. Approve the appointment of CBCL Limited for construction inspection services for an estimated fee of \$7,000 plus net HST for a total of \$7,450.03, with funding as outlined in the Budget Implications section of this report. MOTION PUT AND PASSED UNANIMOUSLY.

9.2.2 Request for Proposals #02-007, Cellular Communications

- C A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

MOVED by Councillor Blumenthal, seconded by Councillor Hetherington, that Regional Council award RFP # 02-007 to the highest ranking proponent, Aliant Telecom Mobility, as the primary provider of cellular service to HRM, pending successful negotiation of the term of the contract (one to three years) to include air time, hardware and related services at an estimated annual cost of approximately \$450,000. MOTION PUT AND PASSED UNANIMOUSLY.

9.2.3 Case 00461: Request to amend the Halifax Municipal Planning Strategy and Land Use By-Law for 1270 Oxford Street, Halifax

- C A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

MOVED by Councillor Uteck, seconded by Councillor Sloane, that Halifax Regional Council:

- a) Authorize staff to initiate a process to amend the Halifax Municipal Planning Strategy (MPS) and Land Use By-law (LUB) to enable consideration of a multi-unit residential building at 1270 Oxford Street, Halifax, by way of development agreement; and
- b) Instruct that the MPS amendment process include a public participation program in accordance with the Public Participation Resolution adopted by

Halifax Regional Council on February 25, 1997. MOTION PUT AND PASSED UNANIMOUSLY.

10. MOTIONS - NONE

11. ADDED ITEMS

11.1 Membership Selection Committee - Citizen and Councillor Appointments

MOVED by Councillor Streach, seconded by Councillor Sarto, that:

1. Councillor Steve Adams be appointed to the Regional Taxi and Limousine Committee for a two year term to November 2004.
2. David Withrow be appointed to the Regional Taxi and Limousine Committee for a one year term to November 2003.
3. Paul Erickson and Janis Rod be appointed to the Point Pleasant Park Advisory Committee for a three year term to November 2005; and, Henrietta Mann be appointed to fill an unexpired term to November 2003. MOTION PUT AND PASSED UNANIMOUSLY.

Council addressed Item 7.2 - Permanent Encroachment - Building Permit Application 037314 at this time.

7.2 Permanent Encroachment - Building Permit Application 037314

- C A staff report prepared for Dan English, Acting Chief Administrative Officer, regarding the above, was before Council for its consideration.

MOVED by Councillor Sloane, seconded by Councillor Cunningham, that Halifax Regional Council approve an encroachment license to construct a second level balcony for the restaurant known as Mexicali Rosa as per Building Permit Application #037214. MOTION PUT AND PASSED UNANIMOUSLY.

12. NOTICES OF MOTION - None

13. ADJOURNMENT

There being no further business, the meeting adjourned at 6:30 p.m.

Vi Carmichael
Municipal Clerk